IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 18TH SEPTEMBER 2007 / 27TH BHADRA 1929

WP(C).No. 18179 of 2007(L)

PETITIONER:

1. SEBASTIAN MATHEW,
   HSST (SOCIAL WORK), ST.THOMAS HIGHER SECONDARY SCHOOL, THANKAMONY, IDUKKI DISTRICT.

2. JOSHY JOSEPH,
   HSST (SOCIAL WORK), ST.JUDES HIGHER SECONDARY SCHOOL, VELLARIKKUNDU P.O., PARAPPA (VIA), KASARAGOD DISTRICT.

3. VINOD KUMAR K.,
   HSST (SOCIAL WORK), TIHSS, NAIRMARMOOLE P.O., VIDHYA NAGAR, KASARGOD.

BY ADV. SRI.V.B.UNNIRAJ
SMT.GEETHA R.S
SMT.SREEJA S
SRI.ARUN VISWANATH

RESPONDENTS:

1. STATE OF KERALA,
   GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, REPRESENTED BY ITS CHIEF SECRETARY.

2. THE DIRECTOR OF HIGHER SECONDARY EDUCATION, HOUSING BOARD BUILDINGS, SANTHI NAGAR, THIRUVANANTHAPURAM.

BY G.P. SHRI.T.T.MUHAMOOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J.

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W.P.(C).No.18179 of 2007

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Dated this the 18th day of September, 2007

J U D G M E N T

Petitioners are teachers appointed by different aided school managers. Although they possess B.Ed. degree obtained from the Indira Gandhi National Open University (IGNOU), the respondents take a stand that the B.Ed. degree from the IGNOU is not sufficient qualification for appointment as higher secondary school teachers in aided school and therefore, the petitioners are required to pass B.Ed. course afresh within the time stipulated. In the above circumstances, the petitioners have approached this court seeking the following reliefs:

> "1). Declare that the B.Ed. qualification acquired by the petitioner 1 to 3 from IGNOU, are valid qualification for the purpose of approval and regularization of their services as High Secondary School teachers.
>
> 2) Issue a writ of mandamus or other appropriate writ, direction or order compelling the respondents to approve the appointment of the petitioners as Higher Secondary School teachers."

2. The question as to whether the B.Ed. degree issued by the IGNOU is sufficient qualification for appointment as Higher Secondary School Teacher both in Government service as well as in aided school service, has been the subject matter of writ

petitions before this court. In fact a Division Bench of this court in the decision reported in *State of Kerala and another v. Suja Kumari and another* (2006 [1] ILR 431), has held it as sufficient qualification. I had followed that decision while disposing of W.P(C).No..22396/2007 dealing with a case of appointment of a non-vocational higher secondary school teacher in the department of Vocational Higher Secondary Education and held that the same is sufficient qualification. In view of the above decision, the petitioners are entitled to succeed in this writ petition. Accordingly, it is declared that the B.Ed. degree obtained by them from the IGNOU is sufficient qualification for continuing as higher secondary school teachers in aided school service. The appropriate educational authorities shall take note of these decisions and regularise the service of the petitioners with consequential benefits. Orders in this regard shall be issued within two months from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

Sd/-

sdk+ S.SIRI JAGAN, JUDGE

///True copy///

P.A. to Judge.